

EXHIBIT A

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

v.

GOOGLE INC.

Defendant.

Case No. CV 10-03561 WHA

**PLAINTIFF'S [PROPOSED] NOTICE
OF DEPOSITION OF GOOGLE INC.,
PURSUANT TO FED. R. CIV. P. 30(b)(6)
AND REQUEST FOR DOCUMENTS RE
DISCOVERY MISCONDUCT**

TO DEFENDANT GOOGLE INC., AND ITS ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that pursuant to Rules 26(a) and 30(b)(6) of the Federal Rules of Civil Procedure, Plaintiff Oracle America, Inc. (“Oracle”) will take the deposition of Defendant Google Inc. (“Google”). Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Google shall designate one or more of its officers, directors, partners, managing agents, or other persons who consent to testify on Google’s behalf and who are the most knowledgeable with respect to the deposition topics set forth in Attachment A.

The deposition will commence upon a mutually agreeable date after the production of the requested documents, at the offices of Orrick, Herrington & Sutcliffe, 405 Howard Street, San Francisco, CA, 94105 at 9:00 a.m. each day, before a court reporter or other officer authorized to administer oaths. The deposition may be recorded by stenographic means, audiotaped, videotaped, and transcribed using real time interactive transcription such as LiveNote. The deposition will continue from day to day until completed.

At least seven days in advance of the date of deposition, Google is directed to provide to counsel for Oracle a written designation of the name(s) and position(s) of the person(s) designated to testify on each of the following topics.

IN ADDITION, pursuant to Rule 34 and the order of the Court, Plaintiff Oracle America, Inc. (“Oracle”) hereby requests Defendant Google Inc. to produce for inspection, copying, and photographing the documents and things set forth below at the offices of Orrick, Herrington & Sutcliffe LLP, 405 Howard Street, San Francisco, California 94105-2669 within fifteen (15) days from the date of service of this request.

Dated: September 9, 2016

Orrick, Herrington & Sutcliffe LLP

By: /s/ Annette L. Hurst

Annette L. Hurst
Attorneys for Plaintiff
ORACLE AMERICA, INC.

ATTACHMENT A

DEPOSITION TOPICS

1. Identification of all persons who worked on and/or supervised work on, directly or indirectly, ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS.
2. The development of ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS, including all proposals, plans, project definition, roadmaps, or other documents describing or referring to such development (other than source code).
3. The source code, functionality and operation of ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS.
4. Identification of all persons who contributed information for, drafted, reviewed or otherwise participated in any fashion in Google's responses to the following discovery requests served by Oracle: Requests for Admission ("RFAs") 254, 264 and 281, Interrogatories 26-29, and Requests for Production ("RFPs") 211, 219 and 324.
5. All investigations made by Google in order to respond to the following discovery requests served by Oracle in this matter: RFAs 254, 264 and 281, Interrogatories 26-29, and RFPs 211, 219 and 324.
6. The contents of Google's written responses to RFAs 254, 264 and 281, Interrogatories 26-29, and RFPs 211, 219 and 324, its explanation of why it answered those discovery requests as it did and in particular why it did not disclose or otherwise rely upon ARC++ in answering those requests, all persons who were responsible for the decision not to disclose ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS in connection with Google's written responses to those discovery requests, and an explanation whether Google's failure to do so was knowing, deliberate or intentional.
7. All facts concerning the collection, review, redaction and production of the documents marked as Exhibits 6 through 14 to Ms. Anderson's Declaration of August 25, 2016.

ATTACHMENT B

REQUESTS FOR PRODUCTION OF DOCUMENTS

1. The entire source code and documentation for all versions of ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS, including without limitation any source code repository containing files for ARC++.
2. All documents referring to ARC++ and any other Google software referenced at Google's May 19, 2016 I/O demonstration of Android running on Chrome OS, including identification of all custodians for all duplicates of such documents.